

EXHIBIT 1

Subject: FW: Hitachi: VIZIO Claim Construction Counter Designations

From: Ragon, James
Sent: Tuesday, September 04, 2012 3:45 PM
To: Moffett, Dan; Klein, Eric
Cc: Plies, Jeffrey; Dartt, Stephen; Ashbrook, Robert; McBride, Kevin; EXT
tlandis@akingump.com; Jin, Bryan; Reeder, Michael; Wittenzellner, John; Safiullah, Rehan
Subject: RE: Hitachi: VIZIO Claim Construction Counter Designations

Dan,

We will make the necessary arrangements for Mr. Huang's deposition. Also, in light of the proposed stipulation to drop the '629 patent from the case, we are taking the deposition of Mr. Lery off calendar.

Thanks,
James

-----Original Message-----

From: Moffett, Dan [mailto:dmoффett@AkinGump.com]
Sent: Tuesday, September 04, 2012 3:28 PM
To: Ragon, James; Klein, Eric
Cc: Plies, Jeffrey; Dartt, Stephen; Ashbrook, Robert; McBride, Kevin; EXT
tlandis@akingump.com; Jin, Bryan; Reeder, Michael; Wittenzellner, John; Safiullah, Rehan
Subject: RE: Hitachi: VIZIO Claim Construction Counter Designations

James,

Please make arrangements for Mr. Huang's deposition to take place at the Hilton at Raleigh Durham Airport - Research Triangle Park, 4810 Page Creek Lane, Durham, NC 27703.

We will confer with Chris Heegard regarding his availability.

Thank you,

Dan Moffett
Direct: +1 210.281.7155 | Internal: 47155

-----Original Message-----

From: Ragon, James [mailto:james.ragon@dechert.com]
Sent: Tuesday, September 04, 2012 12:37 PM
To: Moffett, Dan; Klein, Eric
Cc: Plies, Jeffrey; Dartt, Stephen; Ashbrook, Robert; McBride, Kevin; Landis, Todd; Jin, Bryan; Reeder, Michael; Wittenzellner, John; Safiullah, Rehan
Subject: RE: Hitachi: VIZIO Claim Construction Counter Designations

Dan,

We can schedule Mr. Huang for September 21st and will make arrangements for a location in the vicinity of the Raleigh-Durham airport. However, we have a conflict on September 18th, please propose an alternate date for Mr. Heegard.

Thanks,
James

-----Original Message-----

From: Moffett, Dan [mailto:dmoффett@AkinGump.com]
Sent: Thursday, August 30, 2012 9:07 AM
To: Ragon, James; Klein, Eric
Cc: Plies, Jeffrey; Dartt, Stephen; Ashbrook, Robert; McBride, Kevin; EXT
tlandis@akingump.com; Jin, Bryan; Reeder, Michael; Wittenzellner, John; Safiullah, Rehan
Subject: RE: Hitachi: VIZIO Claim Construction Counter Designations

James,

Chris Heegard is presently available on September 18th in Eugene, Oregon. Zheng Huang is presently available on September 21st in the vicinity of the Raleigh-Durham International Airport.

These dates presently appear workable, although we may need to modify them should a conflict arise.

Thank you,

Dan Moffett
Direct: +1 210.281.7155 | Internal: 47155

-----Original Message-----

From: Ragon, James [mailto:james.ragon@dechert.com]
Sent: Thursday, August 16, 2012 1:22 PM
To: Klein, Eric
Cc: Plies, Jeffrey; Dartt, Stephen; Ashbrook, Robert; McBride, Kevin; Landis, Todd; Moffett, Dan; Jin, Bryan; Reeder, Michael; Wittenzellner, John; Safiullah, Rehan
Subject: RE: Hitachi: VIZIO Claim Construction Counter Designations

Eric,

We can schedule Mr. How on the 5th and Mr. Lery on the 7th, but we have conflicts with the Mr. Heegard on the 11th and Mr. Huang on the 12th. Please provide alternate dates for Mr. Heegard and Mr. Huang.

Thanks.

James

-----Original Message-----

From: Klein, Eric [mailto:eklein@akingump.com]
Sent: Tuesday, August 14, 2012 7:17 PM
To: Ragon, James
Cc: Plies, Jeffrey; Dartt, Stephen; Ashbrook, Robert; McBride, Kevin; EXT
tlandis@akingump.com; Moffett, Dan; Jin, Bryan; Reeder, Michael; Wittenzellner, John;
Safiullah, Rehan; Klein, Eric
Subject: Re: Hitachi: VIZIO Claim Construction Counter Designations

James,

The following dates and locations presently appear to be workable, although we may need to modify these should a conflict arise.

Stephen How is available on September 5th in San Diego, California

Scott Lery is available on September 7th in Grass Valley, California

Zheng Huang is available on September 12th in Morrisville, North Carolina.

Chris Heegard is available on September 11th in Eugene, Oregon

Please let me know if these will work.

Thanks.

Eric

----- Original Message -----

From: Ragon, James <james.ragon@dechert.com>

To: Klein, Eric

Cc: Plies, Jeffrey <Jeffrey.Plies@dechert.com>; Dartt, Stephen <Stephen.Dartt@dechert.com>; Ashbrook, Robert <Robert.AshbrookJr@dechert.com>; McBride, Kevin; Landis, Todd; Moffett, Dan; Jin, Bryan <Bryan.Jin@dechert.com>; Reeder, Michael; Wittenzellner, John; Safiullah, Rehan

Sent: Mon Aug 13 20:11:49 2012

Subject: RE: Hitachi: VIZIO Claim Construction Counter Designations

Eric,

Thank you for the information. During our meet and confer last week you also stated that you would let us know about the availability of Vizio's inventors for deposition today. Do you have any information regarding their availability?

Thanks,
James

-----Original Message-----

From: Klein, Eric [mailto:eklein@akingump.com]

Sent: Monday, August 13, 2012 5:16 PM

To: Ragon, James

Cc: Plies, Jeffrey; Dartt, Stephen; Ashbrook, Robert; McBride, Kevin; EXT tlandis@akingump.com; Moffett, Dan; Jin, Bryan; Reeder, Michael; Wittenzellner, John; Safiullah, Rehan

Subject: Hitachi: VIZIO Claim Construction Counter Designations

James,

As we discussed during Friday's meet and confer regarding the asserted VIZIO patents, please find VIZIO's counter designations below:

U.S. Patent No.

Claim Language

Extrinsic Evidence

U.S. Patent No. 5,233,629

"means for pruning the recovered modulation function to provide a set of metrics corresponding to said subsets and to provide a plurality of (N-2) bit subgroups representing a plurality of conditional determinations of the signal point identified by the (N-2) bit portion"

Transcript of the February 25, 2010 deposition of Chris Heegard, at (190:5 - 191:12; 185:1 - 186:7);

Transcript of March 12, 2010 deposition of Stephen K. How, (209:3-7).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"decoder means for using said metrics in an algorithm for decoding a rate 1/2 binary convolutional code to recover a first bit"

Transcript of the February 25, 2010 deposition of Chris Heegard, at (71:4 - 72:5).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for encoding the recovered first bit using a rate $\frac{1}{2}$ binary convolutional encoding algorithm to recreate said codeword"

Transcript of the February 25, 2010 deposition of Chris Heegard, at (71:4 - 72:5; 203:9-10).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for selecting one of said plurality of (N-2) bit subgroups in response to said recreated codeword"

Transcript of the February 25, 2010 deposition of Chris Heegard, at (196:7-10);

Transcript of March 12, 2010 deposition of Stephen K. How, (219:6).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

U.S. Patent No. 5,396,518

"means for generating component metrics from independent I and Q components represented by said digital data"

Transcript of March 12, 2010 deposition of Stephen K. How, (149:5-11; 153:10 - 154:8; 167:11 - 170:13).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for grouping the component metrics with erasures into groups of two to construct branch metrics of a rate $1/2$ trellis"

Transcript of March 12, 2010 deposition of Stephen K. How, (167:11 - 170:13; 193:22 - 195:10).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for synchronizing the stream of successive two bit symbol group identifiers and the digital data in the first receiver path"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means responsive to the synchronized stream of successive two bit symbol group identifiers for slicing successive (N-2) uncoded bit portions of data from the first receiver path"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

U.S. Patent No. 5,511,082

"puncture map of {1000/1111}"

Transcript of the February 25, 2010 deposition of Chris Heegard, at (98:21 - 100:18; 245:6 - 259:10; 262:13 - 263:15);

Transcript of March 12, 2010 deposition of Stephen K. How, (127:11 - 129:14).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"octal generators"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"sixteen state convolutional code"

Transcript of March 12, 2010 deposition of Stephen K. How, (134:10 - 139:2).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for puncturing the
code from said rate $\frac{1}{2}$ encoder
to rate $\frac{4}{5}$ using the puncture

map of {1000/1111}, wherein $v=4$ "

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

U.S. Patent No. 5,511,096

"recovered blocks"

Transcript of the March 3, 2010 deposition of Zheng Huang, at (124:11 - 125:15).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for deinterleaving the
recovered blocks"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

U.S. Patent No. 5,703,887

"means for searching said data stream during a signal acquisition phase to locate a parity
code contained therein"

Transcript of the March 10, 2010 deposition of Sydney Lovely, at (55:13 - 61:8).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for establishing a synchronization condition based on one or more parity codes located
by said searching means"

Transcript of the March 10, 2010 deposition of Sydney Lovely, at (29:13 - 30:8).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for comparing a checksum derived from the k information bits of each packet to the
parity code for those k information bits during a tracking phase"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for signaling an error in the k information bits for a packet when the checksum for
those bits does not match the parity code therefore"

Transcript of the March 10, 2010 deposition of Sydney Lovely, at (68:3 - 68:12).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means for monitoring said parity codes during said tracking phase"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"means responsive to said monitoring means for switching from said tracking phase to said acquisition phase after a predetermined plurality of r-bit patterns considered by said monitoring means to be parity codes are found to be invalid"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"a(x)"

Transcript of the March 10, 2010 deposition of Sydney Lovely, at (32:6 - 33:23).

Rough transcript of the May 7, 2010 deposition of Andrew King, at (pp 101-04).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"b(x)"

Transcript of the March 10, 2010 deposition of Sydney Lovely, at (32:6 - 33:23).

Rough transcript of the May 7, 2010 deposition of Andrew King, at (pp 101-04).

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

"finite impulse response filter having an input for receiving a serial bit stream of codeword data, . . . said filter having an output for providing a serial bit stream of syndromes"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

U.S. Patent No. 5,745,522

"scrambling"

Dr. Tom Fuja to provide testimony regarding a POSITA's understanding of the term.

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